

**STATE OF MINNESOTA**  
**DEPARTMENT OF COMMERCE**

Bulletin 2000-2

Issued this 27th day of July, 2000

TO: ALL COLLECTION AGENCIES LICENSED IN MINNESOTA

RE: MINN. STAT. §332.50 (1998)

It has recently come to the Department's attention that a number of collection agencies licensed to do business in the State of Minnesota are making demands for the payment of a \$100 civil penalty for dishonored checks, from Minnesota residents, without first forwarding a notice that complies with Minn. Stat. § 332.50 (1998).

Minn. Stat. § 332.50 (1998) clearly sets forth the notice requirements and duration of time (30 days from the first notice) required before the \$100.00 civil penalty may be demanded. In addition, this demand must be sent by the payee or holder of the check to the drawer by certified mail, return receipt requested, or by regular mail, supported by an affidavit of service by mailing, to the address printed or written on the check.

The affidavit of service (sample attached) must include the name/address of each drawer and be stamped by the US Postal Service. Any deviation from this process will likely subject your company to formal administrative action by our Department.

If you have any questions, please contact Senior Investigator Kurt Johnson at (651) 296-1455.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

STATE OF \_\_\_\_\_) Minn Stat. 332.50, subd. 3 (1998)

) ss. Affidavit of Service

COUNTY OF \_\_\_\_\_)

\_\_\_\_\_, being duly sworn and says:

That at the City of \_\_\_\_\_, County of \_\_\_\_\_ and State of \_\_\_\_\_, on, s/he caused to be served the notice of dishonor, by depositing the same in the United States mail at said city and state, true and correct copy (ies) thereof, properly enveloped with prepaid first class postage, and addressed to :

Name(s): Address(s)

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Certified by U.S. Postal Stamp